

DOCKET NO. 0399.1212-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Genome-Wide Location and Function of DNA Binding Proteins

the specification of which (check one)

[] is attached hereto.

[X] was filed on December 21, 2001 as United States ApplicationNumber or PCT International Application No. 10/032,281

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]	[]	[]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor John Wyrick

Inventor's Signature John J. Wyrick Date 2/19/02

Residence 144 S. Catalina Avenue, Apt. 12
Pasadena, CA 91106

Citizenship U.S.A.

Mailing Address same as above

Full name of second joint

inventor, if any Richard A. Young

Inventor's Signature _____ Date _____

Residence 216 Highland Street
Weston, MA 02493

Citizenship U.S.A.

Mailing Address same as above

Full name of third joint

inventor, if any Bing Ren

Inventor's Signature _____ Date _____

Residence 4165 Executive Drive, Apt. 106
La Jolla, CA 92037

Citizenship People's Republic of China

Mailing Address same as above

Full name of fourth joint

inventor, if any Francois Robert

Inventor's Signature _____ Date _____

Residence 395 Beacon Street, #1F
Boston, MA 02116

Citizenship Canada

Mailing Address same as above

Full name of fifth joint

inventor, if any Itamar Simon

Inventor's Signature _____ Date _____

Residence 93 Colborne Road

Brighton, MA 02135

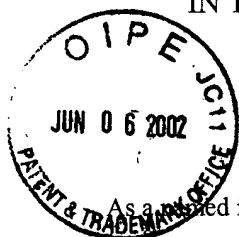
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Full name of sole

or first inventor John Wyrick

Inventor's Signature _____ Date _____

Residence 144 S. Catalina Avenue, Apt. 12

Pasadena, CA 91106

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Full name of second joint

inventor, if any Richard A. Young

Inventor's Signature  Date 2/13/02

Residence 216 Highland Street

Weston, MA 02493

Citizenship U.S.A.

Mailing Address same as above

Full name of third joint

inventor, if any Bing Ren

Inventor's Signature _____ Date _____

Residence 4165 Executive Drive, Apt. 106

La Jolla, CA 92037

Citizenship People's Republic of China

Mailing Address same as above

Full name of fourth joint

inventor, if any Francois Robert

Inventor's Signature _____ Date _____

Residence 395 Beacon Street, #1F

Boston, MA 02116

Citizenship Canada

Mailing Address same as above

Full name of fifth joint

inventor, if any Itamar Simon

Inventor's Signature _____ Date _____

Residence 93 Colborne Road

Brighton, MA 02135

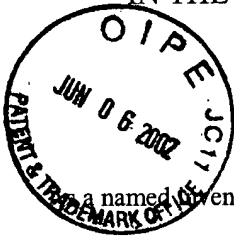
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inventor, if any Richard A. Young

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Residence 216 Highland Street

Weston, MA 02493

Citizenship U.S.A.

Mailing Address same as above

Full name of third joint

inventor, if any Bing Ren

Inventor's Signature Bing Ren Date Feb 21st, 2002

Residence ~~4165 Executive Drive, Apt. 100~~ 12715 Camarena Road

~~La Jolla, CA 92037~~ San Diego, CA 92130

Citizenship People's Republic of China

Mailing Address same as above

Full name of fourth joint

inventor, if any Francois Robert

Inventor's Signature _____ Date _____

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Boston, MA 02116

Citizenship Canada

Mailing Address same as above

Full name of fifth joint

inventor, if any Itamar Simon

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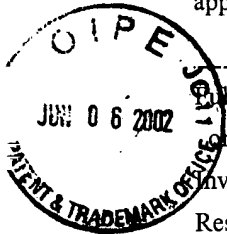
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Full name of sole
inventor _____ John Wyrick
Inventor's Signature _____ Date _____
Residence _____ 144 S. Catalina Avenue, Apt. 12
Pasadena, CA 91106
Citizenship _____ U.S.A.
Mailing Address _____ same as above

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inventor, if any _____ Richard A. Young
Inventor's Signature _____ Date _____
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Inventor's Signature _____ Date _____
Residence _____ 4165 Executive Drive, Apt. 106
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Citizenship _____ People's Republic of China
Mailing Address _____ same as above

Full name of fourth joint
inventor, if any _____ Francois Robert
Inventor's Signature _____ Date 4/10/02
Residence ~~395 Beacon Street, #1F~~ 445 MARLBOROUGH ST. #1A
Boston, MA ~~02116~~ 02115
Citizenship _____ Canada
Mailing Address _____ same as above

4/10/02
4/10/02

Full name of fifth joint

inventor, if any Itamar Simon

Inventor's Signature _____ Date _____

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Full name of sole

inventor _____ John Wyrick _____

Inventor's Signature _____ Date _____

Residence _____ 144 S. Catalina Avenue, Apt. 12 _____

Pasadena, CA 91106 _____

Citizenship _____ U.S.A. _____

Mailing Address _____ same as above _____

Full name of second joint

inventor, if any _____ Richard A. Young _____

Inventor's Signature _____ Date _____

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Weston, MA 02493 _____

Citizenship _____ U.S.A. _____

Mailing Address _____ same as above _____

Full name of third joint

inventor, if any _____ Bing Ren _____

Inventor's Signature _____ Date _____

Residence _____ 4165 Executive Drive, Apt. 106 _____

La Jolla, CA 92037 _____

Citizenship _____ People's Republic of China _____

Mailing Address _____ same as above _____

Full name of fourth joint

inventor, if any _____ Francois Robert _____

Inventor's Signature _____ Date _____

Residence _____ 395 Beacon Street, #1F _____

Boston, MA 02116 _____

Citizenship _____ Canada _____

Mailing Address _____ same as above _____

Full name of fifth joint

inventor, if any Itamar Simon

Inventor's Signature Itamar Simon Date 2/22/02

Residence 93 Colborne Road

Brighton, MA 02135

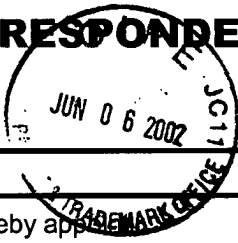
Citizenship Israel

Mailing Address same as above



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT AND
CORRESPONDENCE ADDRESS**



Application Number	10/032,281
Filing Date	December 21, 2001
First Named Inventor	John Wyrick
Group Art Unit	1651
Examiner Name	Not Assigned
Attorney Docket Number	0399.1212-005

I/We hereby apply for:

☒ the attorneys/agents associated with **Customer No. 021005**☐ Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

☒ Customer Number 021005
Hamilton, Brook, Smith & Reynolds, P.C.
530 Virginia Road
P.O. Box 9133
Concord, Massachusetts 01742-9133

☐ Other _____

Please direct all telephone calls and facsimiles to:

Name Anne J. Collins, Esq. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

☐ Applicant/Inventor.

☒ Authorized representative of the Assignee of the entire interest. See 37 C.F.R. 3.71. A Statement under 37 C.F.R. §3.73(b) is enclosed.

☐ Authorized representative of an assignee together with ☐ of the entire interest. A separate Statement under 37 C.F.R. § 3.73(b) is enclosed.

SIGNATURE of Applicant or Assignee of Record

Name

Patricia Granahan

Signature

Patricia Granahan

Date

May 29, 2002☒ Total of ☐ form is submitted.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)Applicants: John Wyrick, et al.Application No.: 10/032,281 Filed: December 21, 2001For: Genome-Wide Location and Function of DNA Binding ProteinsWhitehead Institute for Biomedical Research, a non-profit institution
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above.
- B. ☐ an assignee together with [] of the entire right, title and interest in the patent application identified above. A separate Certificate under 37 CFR § 3.73(b) is attached.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frames _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are attached.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: May 29, 2002Name: Patricia GranahanTitle: Patent CounselSignature: Patricia Granahan

Joint

ASSIGNMENT

WHEREAS, we, **John Wyrick, Richard A. Young, Bing Ren, Francois Robert and Itamar Simon**, have invented a certain improvement in **Genome-Wide Location and Function of DNA Binding Proteins** described in an application for Letters Patent of the United States, the specification of which:

☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☒ was filed on **December 21, 2001** as Application No. **10/032,281**;

☐ was patented under U.S. Patent No. ☐ on ☐.

WHEREAS, **Whitehead Institute for Biomedical Research** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **Nine Cambridge Center, Cambridge, Massachusetts 02142** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____

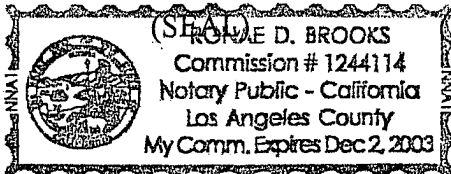
John F. Wyrick
John Wyrick

State/Commonwealth _____

of CALIFORNIA

County of LOS ANGELES

Then personally appeared before me the above-named **John Wyrick** and acknowledged that he executed the foregoing instrument as his free act and deed this 19 day of FEBRUARY, 2002.



Ronae D. Brooks

Notary Public

RONAE D. BROOKS

(print name)

My Commission expires 12/02/03